


UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED  U.S. DISTRICT COURT  
05 JUN 27 PM 4:01

AMERICOACH TOURS, INC., individually,  
and as subrogee of DISCOVER RE,

Plaintiff,

vs.

Case No. 04-2016 B/V (Consolidated)  
05-2067 Ma/V

DETROIT DIESEL CORPORATION,  
MOTOR COACH INDUSTRIES, INC.,  
and ESPAR, INC.

Defendants.

**RULE 16(b) SCHEDULING ORDER**

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

<b>INITIAL DISCLOSURES (RULE 26(a)(1)):</b>	July 14, 2005
<b>JOINING PARTIES:</b>	August 30, 2005
<b>AMENDING PLEADINGS:</b>	August 30, 2005
<b>COMPLETING ALL DISCOVERY:</b>	January 20, 2006
<b>DEADLINE FOR SERVING REQUESTS FOR PRODUCTION, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:</b>	December 20, 2005
<b>EXPERT DISCLOSURE (Rule 26(a)(2)):</b>	
<b>PLAINTIFF:</b>	October 30, 2005
<b>DEFENDANTS:</b>	November 30, 2005
<b>DEPOSITIONS OF EXPERTS:</b>	January 20, 2006



**FILING DISPOSITIVE MOTIONS:**

February 17, 2006

**FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

**PLAINTIFF:**

April 17, 2006

**DEFENDANT:**

May 3, 2006

**OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

This case is set for non-jury trial, and the trial is expected to last 7 day(s). The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59 and 60 shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all the parties, or an emergency arises which precludes the matter from proceeding to trial.

**The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.**

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE

DATE: June 27, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 62 in case 2:04-CV-02016 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT